

**IN THE UNITED STATES DISTRICT COURT OF  
MIDDLE DISTRICT OF ALABAMA**

CHIQUITA McKINNES,

Plaintiff,

v.

JOHNSON & JOHNSON, INC.;  
JOHNSON & JOHNSON  
PHARMACEUTICAL RESEARCH AND  
DEVELOPMENT, LLC; ORTHO-MCNEIL  
PHARMACEUTICAL, INC., BRAD  
MORROW, Sales Representative, JAMIE  
FORBES, Sales Representative, and  
FICTITIOUS DEFENDANTS A, B, C, D, E  
and F, being those persons, sales representative,  
firms or corporations whose fraud, scheme to  
defraud, negligence and/or other wrongful  
conduct caused or contributed to the Plaintiff's  
injuries, and whose true names and identities  
are presently unknown to the Plaintiff but will  
be substituted by amendment when ascertained,

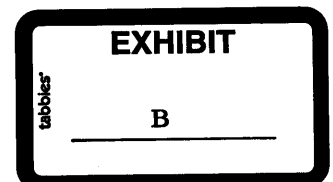
Defendants.

Case No.: \_\_\_\_\_

**DECLARATION OF JAMIE FORBES**

I declare under penalty of perjury under the laws of the United States of America  
that the following is true and correct:

1. I am a citizen of the State of Alabama. I have personal knowledge of the  
matters contained in this declaration and could competently testify to these facts if necessary.
2. I am currently employed by Pricara, a Unit of Ortho-McNeil, Inc.  
(hereinafter referred to as "Pricara"), as a pharmaceutical sales representative. Pricara's



predecessor was the Primary Care franchise of Ortho-McNeil Pharmaceutical, Inc. Neither Pricara nor Primary Care has ever had any responsibility for the marketing and sale of Ortho Evra®.

3. As a sales representative with Pricara, my primary job responsibility is to provide information to healthcare providers in my assigned geographic territory. However, my responsibilities do not include and have never included calling on healthcare providers with information about Ortho Evra®.

4. I have never had any responsibility for Ortho Evra®, nor have I ever provided information about Ortho Evra® to any healthcare provider.

5. The only information that I provide to health care providers regarding pharmaceutical products is limited to promotional and patient education materials provided by Pricara which are consistent with the information contained in the FDA-approved product.

6. I had no involvement in the development or preparation of the prescribing information for Ortho Evra®, and did not have any responsibility for the content of other written warnings concerning Ortho Evra®.

7. At no time did I have any involvement with the manufacture, development or testing of Ortho Evra®.

8. At no time did I ever sell, offer to sell or take orders for the sale of Ortho Evra® to patients.

9. I am not a physician and accordingly have never prescribed Ortho Evra®. I am not a pharmacist and therefore have never filled any Ortho Evra® prescriptions as a pharmacist.

10. I have never provided any warranty to any physicians with respect to Ortho Evra®.

11. I have never met nor spoken with Chiquita McKinnes.

I am making this declaration under penalty of perjury pursuant to 28 U.S.C. § 1746 in

Opelika, Alabama this 18 day of June, 2006.

  
JAMIE BLANCHARD FORBES